

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, May 8, 2006 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, John Lebeaux James McCaffrey, and Daniel Morgado, Town Manager. Mr. Lebeaux called the meeting to order at 7:05pm.

Preliminaries:

1. Approve bills, payrolls and warrants, #0687 in the amount of \$293,065.51, and #0690 in the amount of \$1,062,451.77. Motion made, seconded and unanimously approved.
2. Approve Minutes of April 24, 2006. Motion made, seconded and unanimously approved.
3. Announcements – Mr. Lebeaux announced that for the first time in six years there is a new member of the Board. He welcomed Mr. McCaffrey aboard. Mr. McCaffrey thanked Mr. Lebeaux and advised that he was happy to be here and that he was ready to get right to work. Mr. Lebeaux reminded everyone that pre-Town Meeting takes place this Thursday, May 11th in this building at 7:00pm. Annual Town Meeting is scheduled for next Monday at the High School at 7:00pm.
4. Town Manager's Report – Nothing other than what is on the Agenda. Mr. Morgado added that he will be asking for an Executive Session this evening.

Mr. Lebeaux advised that it is the custom of the Board to reorganize after the Annual Town Election and they would proceed to do so at this time. Mr. Card nominated John Lebeaux as chairman. Motion was seconded and unanimously voted. Mr. DePalo nominated Thomas Fiore as vice chairman. Motion was seconded and unanimously voted. Mr. Fiore nominated Bruce Card as clerk. Motion was seconded and unanimously voted. The Board will remain the same as it was prior to the election.

Meetings:

5. 7:05pm – Senator Augustus. The Senator congratulated Mr. McCaffrey on his election to the Board. He advised that the final version of the House Budget was good news for Shrewsbury, Chapter 70 funding and the lottery distribution increased. The Governor's and House Budget figures are just about the same. The budget now goes to the Senate. Chapter 70 funding should increase due to a change in the formula which goes from seven categories to five in determining the amounts. The budget will then go on to Conference Committee for final determination. Budget figures will not be finalized until late June early July. Mr. Morgado asked Senator Augustus about water issues. This is very important and of great concern to cities and towns. The Senator acknowledged the problem and agreed that there were things that needed to be addressed in regard to water. Mr. Lebeaux thanked the Senator for coming in. The Senator advised Mr. Morgado that he would be in touch when the actual budget numbers come out.

Public Hearings:

6. 7:15pm – Elsa's Eatery, Inc., 27-33 Boston Turnpike, Jon Oliveri, manager, All Alcoholic Beverages Pouring License. Hours of Operation: Monday-Saturday 10:00am to 11:00pm, Sunday 12:00 noon to 9:00pm. Mr. Oliveri was present. Mr. Lebeaux advised that reports from department heads were favorable and asked Mr. Oliveri to brief the Board on his application. Mr. Oliveri advised that he currently holds a Wine and Malt Beverages Pouring License and would like to get an All Alcohol License in order to be competitive with surrounding establishments and to comply with customers' requests for mixed drinks. Nothing else would change including the hours of operation. Mr. McCaffrey asked if there would be a bar area. Mr. Oliveri replied there would be a service area, no bar as there is not enough room for one. Mr. Lebeaux opened the hearing to the public and as there was not public comment a motion was made, seconded and unanimously voted to close

the hearing. Motion was made, seconded and unanimously voted to approve the application of Elsa's Eatery, 27-33 Boston Turnpike, for an All Alcoholic Beverages Pouring License for the purpose and hours as stated.

Old Business:

7. Spring Street Crosswalk. Mr. Morgado advised that the Principal at Spring Street School had requested a crosswalk and Chef Sampson supported her request. A discussion followed in which the Board asked where the crosswalk would be located and questioned whether it was enforceable. Mr. Morgado will ask Chief Sampson and Highway Supt. Knipe to look into the Board's concerns and report back.
8. Review Effective Billing Date for New Water Rates and Commercial Water Rate. Mr. Lebeaux recused himself from the discussion to avoid the appearance of conflict of interest and Mr. Fiore assumed the chair. Mr. Morgado advised that the commercial water rate voted on at the Board's last meeting was incorrect. Mr. Morgado added that the new rates should be effective with the September billing rather than August as the readings for that period have already begun. Motion was made, seconded and voted four in favor with one abstention to adopt the commercial water rate as shown on Mr. Morgado's memo of May 4, 2006. Motion was made, seconded and voted four in favor with one abstention to make the new water rates effective with the September billing.

New Business:

9. Review Annual Town Meeting Warrant. After a discussion, the Board went on record as being in favor of keeping Town Meeting on the Monday, Wednesday, Friday schedule rather than the suggested Monday, Wednesday and Tuesday of the following week schedule. The warrant was reviewed. Articles 1 – waiting for reports. Article 2 – vote to recommend. Article 3 – vote to recommend with option to amend. Articles 4, 5, 6, 7, 8 – vote to recommend. Article 9 – voted not to recommend. Articles 10 & 11 – vote to recommend. Articles 12, 13, 14 all deal with open space – vote to recommend. Articles 15 & 16 deal with Charles River Labs – vote to recommend. Article 17, 18 & 19 – vote to recommend. Article 20 – hold until Town Meeting. Article 21 – this article goes back to the inclusionary by-law. Mr. Morgado advised that if this article is passed the Board will have to appoint a Board of Trustees. Board voted to recommend. Articles 22, 23, 24, 25, 26, 27 & 28 – vote to recommend. Articles 28 & 29 – moved not to recommend. Articles 30 & 31 – CenTech Park – voted to recommend. Articles 32, 33, 34, 35, 36, 37, 38, 39, 40 & 41 – vote to recommend.
10. Reappoint Kenneth Polito and Dorbert Thomas to Conservation Commission for terms of three years expiring on June 30, 2009. Motion was made seconded and unanimously voted to ratify Mr. Morgado's appointments.
11. Reappoint Gerald Berrier and Loretta Henry to Commission on Disabilities for terms of three years expiring June 30, 2009. Motion was made seconded and unanimously voted to ratify Mr. Morgado's appointments.
12. Reappoint Loretta Morelle and appoint Harold Richardson to Historic Commission for terms of three years expiring June 30, 2009. Motion was made seconded and unanimously voted to ratify Mr. Morgado's appointments.
13. Sign Town Clerk's Bond for \$9,500.00. Motion was made, seconded and unanimously voted to authorize the Board Clerk, Mr. Card, to sign the bond.
14. One Day Wine & Malt Beverages for Swaim Family Fund Raiser at Hoagland-Pincus Conference Center, 222 Maple Avenue, Friday, June 16, 2006 from 7:00pm to 10:00pm. Motion was made, seconded and unanimously voted to approve.
15. Treasurer requests Board's approval to reappoint Mary Grillo as Assistant Treasurer for a term of one year to expire June 30, 2006. Motion was made to reappoint Mary Grillo as Assistant Treasurer for a term of one year expiring on June 30, 2007.
16. Adopt charge to Ad Hoc Fiscal Policy Committee. Mr. Lebeaux reviewed the proposed charge and scope of work of the Fiscal Study Committee. Purpose: to investigate and report on all issues involving the Town's fiscal conditions for the five year period beginning July 1, 2006. Membership: two members from Board of Selectmen, two members from Finance Committee, two members from School Committee, eighteen Town Meeting Members appointed by Town Moderator and six at large members appointed by Board of Selectmen. General Organization: the Committee of the whole is divided into two sub-committees each headed by one member of the Board of Selectmen with one studying revenues and the other charges. Additional task forces of these sub-committees may be formed. Meeting Schedule: June (2), July (1), August (1), September (2) October (2) includes public hearing, November (1), December (1), January (2), February (2) includes public hearing,

and March (1). Timetable: Interim report on or before November 1, 2006, Final Report on or before March 1, 2007. Scope of Work: 1.) Examine all sources of current revenue reporting on same. 2.) Examine all sources of additional revenue reporting on same. 3.) Examine all personnel, operating and fixed cost charges both discretionary and mandated and report on same. 4.) Examine all capital and facility needs for the study period and report on same. 5.) Develop specific recommendations for each of the study areas listed above. Staff Support for Sub-Committees: Revenue-Michael Hale, Charges-Patrick Collins. General Support: Town Accountant Mary Thompson, Dr. Bent and Mr. Morgado. The Board briefly discussed the meeting schedule. Mr. Lebeaux added that the schedule is flexible, additional meetings may be scheduled. Motion was made to adopt the charge and scope of work as presented. Motion was seconded and unanimously voted. Mr. Lebeaux advised that the Board of Selectmen, Finance Committee and School Committee will be meeting tomorrow evening at 7:00pm in the Senior Center to discuss how to proceed.

17. Review draft new agreement Wheelabrator Millbury, Inc. Mr. Morgado advised the Board that this is the successor to the agreement entered into in 1997. This agreement is the product of negotiations between thirty six communities and is not as beneficial to the town as the previous agreement. However, there are not a lot of options available and this is the best out there at this time. Mr. Morgado added that the Board has until June 1st to accept or reject the agreement. Board will hold until May 22nd meeting.
18. Struck Catering, 130 Hamilton Street, Worcester, MA, One Day All Alcohol License for event at Hoagland-Pincus Conference Center, 222 Maple Avenue, Thursday, May 11, 2006 from 6:00pm to 10:00pm. Motion was made, seconded and voted four in favor with one abstention to approve the application of Struck Catering as stated.
19. Struck Catering, 130 Hamilton Street, Worcester, MA, One Day All Alcohol License for event at Hoagland-Pincus Conference Center, 222 Maple Avenue, Wednesday, May 24, 2006 from 5:00pm to 7:00pm. Motion was made, seconded and voted four in favor with one abstention to approve the application of Struck Catering as stated.
20. Struck Catering, 130 Hamilton Street, Worcester, MA, One Day All Alcohol License for event at Hoagland-Pincus Conference Center, 222 Maple Avenue, Friday, June 23, 2006 from 6:00pm to 11:00pm. Motion was made, seconded and voted four in favor with one abstention to approve the application of Struck Catering as stated.

Executive Session:

21. Collective bargaining, pending litigation and value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 9:03pm and not to reconvene for the purpose of discussion of collective bargaining, pending litigation and value of real property. The Board was polled, Mr. Fiore, yes, Mr. DePalo, yes, Mr. Card, yes, Mr. McCaffrey, yes, and Mr. Lebeaux, yes.

Communication:

22. Noted copy mailed: E-mail from William Harper, 132 High Street, re High Street construction. Mr. Harper raised a few issues, which have been addressed by Engineering and Highway.
23. Noted copy mailed: E-mail from Tom & Cathy Kilcoyne, 128 High Street, re Sidewalk Construction on High Street and response from Town Engineer Jack Perreault. Sidewalk construction resulted in cobblestones being removed from the Kilcoyne's driveway entrance. People should not make improvements in the public way for this reason.
24. Noted copy mailed: Planning Board Agenda, 5/4/06.
25. Noted copy mailed: ZBA Hearing Minutes, 3/29/06, Omnipoint Communications, Inc. A Wholly-Owned Subsidiary of T-Mobile USA, 19 Church Road.
26. Noted copy mailed: ZBA Hearing Minutes, 3/29/06, Jeffrey Cohen, 20 Julio Drive.
27. Noted copy mailed: ZBA Hearing Minutes, 3/29/06, Joseph Grenier, 550 South Street.
28. Noted copy mailed: ZBA Hearing Minutes, 3/29/06, Lenna Grignon, 19 Villa Road.
29. Noted copy mailed: ZBA Hearing Minutes, 3/29/06, William Cotting, 65 Main Circle.
30. Noted copy mailed: ZBA Hearing Minutes, 3/29/06, Dean Handley, 101 No. Quinsigamond Avenue.
31. Noted copy mailed: ZBA Hearing Minutes, 3/29/06, Site Enhancement Services on behalf of CVS Pharmacy, 197 Boston Turnpike.

32. Noted copy mailed: ZBA Hearing Agenda, 5/9/06.
33. Noted copy mailed: ZBA Hearing Minutes, 1/31/06, Flint Pond Development, LLC, 180-228 Hartford Turnpike.
34. Noted copy mailed: Letter from Glavin Regional Center requesting installation of a crosswalk on Lake Street between the Glavin Center and 177 Lake Street. Forward to Police and Highway Departments for comments re location and enforceability.
35. Noted copy mailed: Announcement from Worcester City Manager Michael O'Brien of forum *Is Your Community Prepared?: a Focus on Special Population*. Forward to Health Dept.
36. Noted copy mailed: Letter from Nancy Woron, 237 South Street, re Proposition 2 _.
37. Noted copy mailed: Letter from William Yeomans, 51 Grafton Street, re Dunkin Donuts.
38. Noted copy mailed: Letter from Paul Keegan, 4 Arnold Road, expressing interest in serving on Study Committee.
39. Noted copy mailed: MMA Action Alert #6, 4/28/06, re Lottery Increase & Chapter 70 Aid.
40. Noted copy mailed: Letter from George & Tallea Lamothe, 68-2 So. Quinsigamond Ave., and Paul & Susan Alward, 68-1 So. Quinsigamond Ave., re Maronis Park. Forward to Police Dept. for investigation of complaint and report.
41. Noted copy mailed: E-mail from Alicia Howe, 24 Hawthorne Road, expressing interest in serving on Study Committee.
42. Noted copy mailed: Letter from Mr. Morgado to Sen. Augustus re amendment to appropriation line item for DEP.
43. Noted copy mailed: Corridor Nine annual membership renewal invoice. Motion was made, seconded and unanimously voted to renew membership at \$300 per year.
44. Noted copy mailed: Dept. of Revenue Bulletin 2006-06B, re New Officials Finance Forum.
45. Noted copy mailed: Memo from Dept. of Housing & Community Development re Monitoring of Chapter 40B Developments.
46. Noted copy mailed: Letter from Martha Barnes, 29 Elm Street, re barking dog. Forward to Dog Officer for report. Upon receipt of report Board will determine whether hearing is needed.
47. Noted copy mailed: E-mail from Greg Reidel, 68 Camelot Drive, expressing interest in serving on Study Committee.
48. Noted copy mailed: E-mail from Jonathan Mack, 21 Smith Road, expressing interest in serving on Study Committee.
49. Noted copy mailed: Letter from Gail Bisceglia, 8 Pratt Lane, requesting removal of No Parking signs on Baker Avenue. Request will be forwarded to Police Dept. for recommendation. Mr. McCaffrey stated that one sign has fallen down and should be removed immediately. Mr. Morgado will contact Highway Dept. to remove the sign.
50. Noted copy mailed: E-mail from William Gooley, 696 Main Street, expressing interest in serving on Study Committee.
51. Noted copy mailed: Letter from Moira Miller, 12 Lamplighter Drive, expressing interest in serving on Study Committee.
52. Noted copy mailed: School Committee Meeting Agenda, 5/10/06.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 9:03pm and not to reconvene for the purpose of discussing collective bargaining, pending litigation and value of real property. On a roll call vote Mr. Fiore, yes, Mr. DePalo, yes, Mr. Card, yes, Mr. McCaffrey, yes, and Mr. Lebeaux, yes.

Respectfully submitted,

Janice C. McCoy
Secretary

